UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	х	
JAMES J. ANESTIS,	Plaintiff,	RULE 26 MEETING REPORT AND JOINT DISCOVERY PLAN
-against-		13 CV 7125 (CBA)(LB)
THE CITY OF NEW YORK, POLICE OFF MATTHEW KWIECINSKI, Shield Number official and individual capacities and SERG	r 12413, in his	

Defendants. ----- x

MATTHEW VOGT, Shield Number 5589 in his official

and individual capacities,

**WHEREAS**, the parties have conferred pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and the Court's March 18, 2014 Order, and in anticipation of the Initial Pre-Trial Conference scheduled for April 29, 2014 at 2:30 p.m.;

**NOW, THEREFORE**, the parties respectfully submit the following proposed discovery plan pursuant to Federal Rule of Civil Procedure 26(f)(3):

**26(f)(3)(A)** The parties will serve their initial disclosures by April 25, 2014.

26(f)(3)(B) The parties require discovery in regard to the incident that forms the basis of plaintiff's claims. The parties anticipate that fact discovery should be completed by **September 12**, 2014. The parties reserve their rights to conduct expert discovery thereafter but do not anticipate any expert discovery at this time.

- 26(f)(3)(C) At this juncture, the parties do not anticipate conducting discovery of any electronically stored information. The parties do, however, reserve the right to seek discovery of electronically stored information if same becomes necessary during the course of this litigation.
- **26(f)(3)(D)** In the event that plaintiff seeks discovery of employment and/or disciplinary records for any police officer, or other employee of the City of New York, defendants will seek a protective order limiting use of same.
- 26(f)(3)(E) The parties do not seek an extension to discovery limitations imposed by the Federal Rules of Civil Procedure.

If additional interrogatories beyond the 25 permitted under Fed. R. Civ. P. 33(a) are

## **WHEREAS**, The parties have additionally agreed as follows:

(1)

need	led, the maximum additional ones b	y plaintiff: <u>none</u> ; and defendants: <u>none</u>	
(2)	Maximum number of requests for admission by plaintiff: $\underline{15}$ and defendants: $\underline{15}$		
(3)	Time for amendment of the pleadings by plaintiff: <u>June 6, 2014</u> ; and defendants: <u>n/a</u>		
(4)	Time for additional parties to be joined by plaintiff: June 6, 2014		
(5)	Settlement Conference: To be determined		
(6)	First Request for Documents/ Interrogatories due by: May 16, 2014		
(7)	Types of contemplated dispositive motions: <u>Summary Judgment</u>		
(8)	Dispositive motion practice, if applicable, to be started by: October 17, 2014		
(9) 636(	Do the parties both consent to tria (c)? [Does not affect right to jury tria	l before a magistrate judge pursuant to 28 U.S.C. § al] <u>No</u>	
Attorney for 15 Morris L	ane , New York 11024	ZACHARY W. CARTER Corporation Counsel of the City of New York Attorney for Defendants 100 Church Street, Room 3-190 New York, New York 10007 (212) 356-2358	
-	er I. Sheehan eey for Plaintiff	By: /s Carolyn K. Depoian Assistant Corporation Counsel	
Dated: New April 25, 20	y York, New York 114	SO ORDERED:	
		HONORABLE LOIS BLOOM UNITED STATES MAGISTRATE JUDGE	